

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: : CASE NO. 5-09-07379
RYAN D. OLECKI :
AKA RYAN DAVID OLECKI, :
AKA RYAN OLECKI, :
AKA RYAN OLECKY, :
DBA RYAN OLECKI REMODELING, :
DBA OLECKI ROOFING AND SIDING :
Debtors. : CHAPTER 7

RYAN D. OLECKI :
DBA RYAN OLECKI REMODELING :
Plaintiffs :

vs. :

BRENNAN & CLARK LTD. :
Defendant :

ADVERSARY NO. _____

**COMPLAINT TO RECOVER DAMAGES FOR VIOLATION
OF THE AUTOMATIC STAY**

AND NOW COMES the Plaintiff/Debtor, Ryan D. Olecki, by and through his attorney, Tullio DeLuca, Esquire, and makes this Complaint to Recover Damages for Violation of the Automatic Stay and, in support thereof, avers as follows:

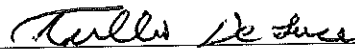
1. Debtor filed Their Chapter 7 voluntary petition on September 22, 2009.
2. On or about January 25, 2010, Defendant, Brennan & Clark Ltd. was served by First Class Mail with Plaintiff's Amended Schedule F listing it as a creditor in Plaintiff's Chapter 7 Bankruptcy. A copy of the Amended Schedule F and Certificate of service is attached hereto and made a part hereof, and marked as Exhibit "A".
3. Subsequent to being notified of the filing of the Chapter 7 bankruptcy, on February 11, 2010, an invoice was forwarded by Defendant requesting payment for pre- petition debt. Said invoice is attached hereto, and marked as Exhibit "B."
4. Based on the foregoing facts and the Exhibits attached hereto and made a part hereof, Brennan & Clark Ltd.'s conduct is in violation of the automatic stay, 11 U.S.C. Section

362.

WHEREFORE, Debtor, Ryan D. Olecki, requests the following relief:

1. An order adjudging Brennan & Clark Ltd. in civil contempt for violation of the automatic stay provisions of Section 362 of the Bankruptcy Code.
2. An order awarding Debtors damages, including punitive damages Brennan & Clark Ltd.'s continued and repeated violations of the automatic stay, along with costs and attorney's fees incurred as a result of the violations of the automatic stay by Brennan & Clark Ltd..
3. Such other and further relief as the court may deem appropriate.

Respectfully submitted,



Tullio DeLuca, Esquire
Attorney I.D. 59887
Attorney for Debtor
381 North 9th Street,
Scranton, Pennsylvania 18504
570-347-7764

Dated this 8th day of March 2010.

Case No. _____
(If known)In re Ryan D. Olecki
Debtor**AMENDED SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See Instructions above.)	CODEBETOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 0345 Erle Insurance Group Collection Unit 100 Erle Insurance Place Erle, Pa 16530-0001 Brennan & Clark Ltd., 721 E. Madison Suite 200 Villa Park, IL 60181		01/01/2009 Insurance				151.00
ACCOUNT NO. 1325 MT Emergency Associates P.O. Box 1369 Scranton, PA 18501 Remit Corp. 36 West Main Street P.O. Box 7 Bloomsburg, PA 17816 Flexible Financial Corp P.O. Box 189 Peckville, PA 18452		07/01/2003 Medical services				325.00

2 Continuation sheets attached

Subtotal	\$ 476.00
Total	\$

(Use only on last page of the completed Schedule F.)
(Report also on Summary of Schedules and, if applicable on the Statistical
Summary of Certain Liabilities and Related Data.)

Case No. _____
(If known)In re Ryan D. Olecki
Debtor**AMENDED SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CREDITOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 325.1 Radiological Consultants 751 Keystone Indust. Park Dunmore, PA 18512 Radiological Consultants Inc P.O. Box 60 Pittsburgh, PA 15230 Rickart Collection Systems, 575 Milltown Rd., P.O. Box 7242 North Brunswick, NJ 08902		09/16/2008 Medical services				210.00
ACCOUNT NO. 2819 Sprint/Nextel Attn: Bankruptcy P.O. Box 172408 Denver, CO 80217 Pentagroup Financial 5959 Corporate Dr. Ste. 14 Houston, TX 77036 IC Systems, Inc., 444 Hghwy, 96 East Box 64887 St. Paul, MN 55164 Enhanced Recovery Corp. P.O. Box 1967 Southgate, MI 48195		12/01/2007 Telephone services				266.00

Sheet no. 1 of 2 continuation sheets attached to Schedule of Creditors
Holding Unsecured
Nonpriority Claims

Subtotal	\$ 466.00
Total	\$

(Use only on last page of the completed Schedule F.)
(Report also on Summary of Schedules and, if applicable on the Statistical
Summary of Certain Liabilities and Related Data.)

In re Ryan D. Olecki

Debtor

Case No. _____
(If known)**AMENDED SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBATOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM, IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 0000-1 Verizon Wireless Attn: Customer Service P.O. Box 4003 Acworth, GA 30101 North Shore Agency, Inc. 270 Spagnoli Road Suite 111 Melville, NY 11747		01/01/2009 telephone services				693.22

Sheet no. 2 of 2 continuation sheets attached to Schedule of Creditors
Holding Unsecured
Nonpriority Claims

Subtotal >

\$ 693.22
\$ 1,635.22

Total >

(Use only on last page of the completed Schedule F.)
(Report also on Summary of Schedules and, if applicable on the Statistical
Summary of Certain Liabilities and Related Data.)

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

RYAN OLECKI

Debtor

CASE NO.:05:09-07379

CHAPTER 7

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 25th day of January 2010 he caused a true and correct copy of the attached Amended Schedules via First Class United States Mail, Postage Pre-paid in the above-referenced case, on the following:

Mark J. Conway, Trustee
502 South Blakely Street
Dunmore, PA 18512

Erie Insurance Group
Collection Unit
100 Erie Insurance Place
Erie, PA 16530-0001

Brennan and Clark, Ltd.
721 E. Madison
Suite 200
Villa Park, IL 60181

MT Emergency Associates
P.O. Box 1369
Scranton, PA 18501

Remit Corp.
36 West Main Street
P.O. Box 7
Bloomsburg, PA 17815

Flexible Financial Corp
P.O. Box 189
Peckville, PA 18452

Radiological Consultants
751 Keystone Industrial Park
Dunmore, PA 18512

Radiological Consultants, Inc.
PO Box 60
Pittsburgh, PA 15230

Rickart Collection Systems,
575 Milltown Rd.,
P.O. Box 7242
North Brunswick, NJ 08902

Sprint/Nextel
Attn: Bankruptcy
P.O. Box 172408
Denver, CO 80217

Pentagroup Financial
5959 Corporate Drive
Ste. 14
Houston, TX 77036

IC Systems, Inc.
444 Highway 96 East
Box 64887
St. Paul, MN 55164

Enhanced Recovery Corp.
P.O. Box 1967
Southgate, MI 48195

Verizon Wireless
Attn: Customer Service
P.O. Box 4003

Acworth, GA 30101

North Shore Agency, Inc.
270 Spagnoli Road
Suite 111
Melville, NY 11747

Dated: _____

/s/ Tullio DeLuca, Esquire.

Tullio DeLuca, Esquire

PA ID# 59887

381 N. 9th Street

Scranton, PA 18504

(570) 347-7764

Brennan & Clark Ltd.

A Limited Liability Company

Telephone: (630) 279-7611
Out of State: (888) 217-3212

721 E. MADISON
SUITE 200
VILLA PARK, IL 60181

Fax: (630) 279-7045
Web Page: www.brennanclark.com

2/11/2010

Ryan Olecki Remodeling
Attn: Ryan
526 Beech St
Scranton, PA 18505-1847



Re: Erie Insurance Co
\$104.00
Q312620523

10 letter
AFTER Bankruptcy
WAS FILED
Keep Sending letters
\$104.00
\$150.00
Same policy
Commercial
policy
2 balances
SAME ACCOUNT

Dear Ryan:

Despite repeated attempts to affably dispose of this matter, no concrete progress has been made. In reviewing the file, I observe that this office has taken every measure possible to assist you in making the decision to remit payment.

I also notice that no consequential defenses refuting Erie Insurance Co's claim have been disclosed.

Regretfully, I have no choice but to come to the conclusion that you have decided not to resolve this matter amicably. Nonetheless, I am offering you a final opportunity to put this matter to rest.

Should you now choose to avoid this matter, it will escalate to an adversarial situation which may, among other consequences, subject you to an unpleasant experience. Your payment in full must reach my desk within the next 5 days. Absent that cooperation, we have but one alternative to consider.

I trust you now comprehend the serious nature of this last attempt to amicably resolve this matter.

Reference our File Number on all communications.

Sincerely,

Mike Clark

Mike Clark
Ext: 6123

File # 09-106983

Please consider this as notice that if payment is made by consumer check, we will convert this check to an electronic debit to your account via ACH. If the check is returned for non-sufficient funds, we will present the check via ACH debit.

"Exhibit B"